

## **EXHIBIT A-1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

DIVISION 80, LLC

*Plaintiffs,*

v.

No. 3:22-CV-00148

MERRICK GARLAND, in his official capacity as Attorney General of the United States, *et al.*,

*Defendants.*

**DECLARATION OF JOHN MUSTO IN SUPPORT OF AMICUS BRIEF FOR MAJOR CITIES AND PROSECUTORS AGAINST GUN VIOLENCE**

I, John Musto, Esq., hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the Deputy Law Director at the City of Dayton Law Department. This Declaration is based on my review of records from the Dayton Police Department. If called as a witness, I would testify competently to the truth of the matters set forth herein.

2. In my role, I liaise regularly with the law enforcement and criminal justice organizations of the City of Dayton.

3. As part of its regular course of business, the Dayton Police Department maintains records of firearms collected in connection with an arrest, execution of a search warrant, or any other related law enforcement activity.

4. On June 2, 2022, Sergeant Andrew Zecchini of the Dayton Police Department provided me with Report #220519-0058.

5. Report #220519-0058 involves Dayton Police Department's investigation of a May 20, 2022 incident involving the violation of an Aggravated Menacing and Domestic Protection Order by an individual in Dayton. The report indicates that the Dayton man reportedly pointed a rifle at an adult and 16-year-old minor. The man also reportedly threatened to shoot the entire family. The report indicated that the man fled the scene, and a warrant was later issued for his arrest.

6. Report #220519-0058 further indicates that Dayton Police Detectives later recovered a 6.5 "ghost gun" rifle from the man's home. The rifle reportedly had no serial numbers and no indicators of a manufacturer.

7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: July 7, 2022  
Dayton, Ohio

Respectfully Submitted,  
John Musto

/s/ John Musto  
John Musto